

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

V.

11.1 ACRES OF LAND, MORE OR LESS,
SITUATE IN STARR COUNTY, STATE
OF TEXAS; AND THE CITY OF RIO
GRANDE CITY, TEXAS, ET AL.,

Defendants.

CASE NO. 7:20-CV- 416

COMPLAINT IN CONDEMNATION

1. This is a civil action brought by the United States of America at the request of the Secretary of the Department of Homeland Security, through the Acquisition Program Manager, Wall Program Management Office, U.S. Border Patrol Program Management Office Directorate, U.S. Border Patrol, U.S. Customs and Border Protection, Department of Homeland Security, for the taking of property under the power of eminent domain through a Declaration of Taking, and for the determination and award of just compensation to the owners and parties in interest.

2. The Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1358.

3. The interest in property taken herein is under and in accordance with the authority set forth in Schedule “A.”

4. The public purpose for which said interest in property is taken is set forth in Schedule “B.”

5. The legal description and map or plat of land in which certain interests are being

acquired by the filing of this Complaint, pursuant to the Declaration of Taking, are set forth in Schedules “C” and “D.”

6. The interest being acquired in the property described in Schedules “C” and “D” is set forth in Schedule “E.”

7. The amount of just compensation estimated for the property interest being acquired is set forth in Schedule “F.”

8. The names and addresses of known parties having or claiming an interest in said acquired property are set forth in Schedule “G.”

9. Local and state taxing authorities may have or claim an interest in the property by reason of taxes and assessments due and eligible.

WHEREFORE, Plaintiff requests judgment that the interest described in Schedule “E” of the property described in Schedules “C” and “D” be condemned, and that just compensation for the taking of said interest be ascertained and awarded, and for such other relief as may be lawful and proper.

Respectfully submitted,

RYAN K. PATRICK
United States Attorney
Southern District of Texas

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SCHEDULE

A

SCHEDULE A

AUTHORITY FOR THE TAKING

The property is taken under and in accordance with 40 U.S.C. §§ 3113 and 3114, which authorize the condemnation of land and the filing of a Declaration of Taking; the Act of Congress approved September 30, 1996, as Public Law 104-208, Division C, Section 102, 110 Stat. 3009-546, 3009-554-55, as amended and codified at 8 U.S.C. § 1103(b) & note; and the Act of Congress approved March 23, 2018, as Public Law 115-141, div. F, tit. II, 132 Stat. 348, which appropriated the funds that shall be used for the taking.

SCHEDULE B

SCHEDULE B

PUBLIC PURPOSE

The public purpose for which said properties are taken is to construct, install, operate, and maintain roads, fencing, vehicle barriers, security lighting, cameras, sensors, and related structures designed to help secure the United States/Mexico border within the State of Texas.

SCHEDULE C

SCHEDULE C

LEGAL DESCRIPTION

Starr County, Texas

Tracts: RGV-RGC-6028 and RGV-RGC-7006-1

Owner: City of Rio Grande City, Texas

Acres: 11.1

Tract: RGV-RGC-6028

Being a 9.942 acre tract (433,058 sq ft) parcel of land, more or less, being out of a calculated 80.875 acres, in Porcion No. 77, in Starr County, Texas conveyed to City of Rio Grande City, Texas, Volume 981, Page 326. Said parcel of land more particularly described by metes and bounds as follows;

Starting at COE Project control marker PHR-214-0021, having the following NAD83 (2011) Grid Coordinates N=16661294.34, E=866271.73; Thence S57°34'27"E a distance of 1780.50 feet to a found 1/2" iron rod at the Northeast corner of the E & S River Farm, LTD Tract 1, Volume 1340, Page 175 and the Northwest corner of the City of Rio Grande City, Texas tract, Volume 981, Page 326 and on the East line of Porcion No. 76 and on the West line of Porcion No. 77, for the **Point of Commencement**, having the following coordinates: N=16660339.62, E=867774.62.

Thence: S09°06'11"W along said Porcion line, along the East line of the E & S River Farm, LTD Tract 1, Volume 1340, Page 175 and the West line of the City of Rio Grande City, Texas tract, Volume 981, Page 326, a distance of 1029.31 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-6027-8=6028-1, for the **Point of Beginning**, having the following coordinates: N=16659323.28, E=867611.78, said point being on the Northern boundary of the parcel herein described.

Thence: N82°56'21"E departing said property line, departing said Porcion line, crossing the center of Samuels Road at 29 feet, crossing an existing barbed wire fence at 56.79 feet, along said Northern boundary, a distance of 416.55 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-6028-1A for a Point on Line;

Thence: N82°56'21"E along said Northern boundary, crossing the center of an existing 10 foot wide dirt road at 93 feet, a distance of 416.55 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-6028-2 for angle;

Thence: N82°37'13"E along said Northern boundary, crossing the center of an existing 19 foot wide dirt road at 5 feet, a distance of 357.48 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-6028-2A for a Point on Line;

SCHEDULE C (Cont.)

Thence: N82°37'13"E along said Northern boundary, crossing the center of an existing 10 foot wide dirt road at 222 feet, a distance of 357.48 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-6028-2B for a Point on Line;

Thence: N82°37'13"E along said Northern boundary, crossing the center of an existing 12 foot wide dirt road at 275 feet, to an existing barbed wire fence line, a distance of 357.49 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-6028- 3=6067-5 for angle, said point being on the East line of the City of Rio Grande City, Texas tract, Volume 981, Page 326 and on the West line of the Jorge Chapa tract, Volume 734, Page 226;

Thence: S04°30'29"W departing said Northern boundary, along said property line, along said fence, a distance of 140.08 feet to a found iron rod designated as RGV-RGC-6028-4=6067-4 for angle, said point being at the Southwest corner of the Jorge Chapa tract, Volume 734, Page 226;

Thence: N61°10'10"E along the South line of the Jorge Chapa tract, Volume 734, Page 226 and the East line of the City of Rio Grande City, Texas tract, Volume 981, Page 326, departing said fence, a distance of 40.18 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-6028-5=6067-3 for angle;

Thence: N72°53'18"E along said property line, to an existing barbed wire fence corner, a distance of 276.50 feet to iron pipe designated as RGV-RGC-6028-6=6031-5=6067-2 for angle, said point being the Southeast corner of the Jorge Chapa tract, Volume 734, Page 226 and on the West line of the Garza Delfino Jr & Nora R Delfino tract, Volume 1085, Page 662 and on the East line of the City of Rio Grande City, Texas tract, Volume 981, Page 326;

Thence: S07°16'21"W along the East line of the City of Rio Grande City, Texas tract, Volume 981, Page 326 and the West line of the Garza Delfino Jr & Nora R Delfino tract, Volume 1085, Page 662, departing said fence corner, a distance of 129.46 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-6028-7=6031-4 for angle, said point being on the Southern boundary of the parcel herein described;

Thence: S77°07'20"W departing said property line, along said Southern boundary, crossing the center of an existing 8 foot wide dirt road at 10 feet, a distance of 95.05 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-6028-8 for angle;

SCHEDULE C (Cont.)

Thence: S82°37'13"W along said Southern boundary, crossing the center of an existing 15 foot wide dirt road at 292 feet, a distance of 408.91 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-6028-8A for a Point on Line;

Thence: S82°37'13"W along said Southern boundary, crossing the center of an existing 12 foot wide dirt road at 126 feet, a distance of 408.91 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-6028-8B for a Point on Line;

Thence: S82°37'13"W along said Southern boundary, a distance of 408.91 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-6028-9 for angle;

Thence: S82°56'21"W along said Southern boundary, crossing the center of an existing 20 foot dirt road at 43 feet, a distance of 447.24 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-6028-9A for a Point on Line;

Thence: S82°56'21"W along said Southern boundary, crossing an existing barbed wire fence at 390.95 feet, crossing the center of Samuels Road at 419 feet, a distance of 447.24 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-6027-9=6028-10 for angle, said point being on the East line of Porcion No. 76 and on the West line of Porcion No. 77 and on the East line of the E & S River Farm, LTD Tract 3, Volume 1190, Page 762 and the West line of the City of Rio Grande City, Texas tract, Volume 981, Page 326;

Thence: N09°05'10"E along said property line, along said Porcion line, departing said Southern boundary, a distance of 218.62 feet returning to the **Place of Beginning**.

SCHEDULE C (Cont.)

Tract: RGV-RGC-7006-1

Being a 1.158 acre tract (50,448 sq ft) parcel of land, more or less, being a tract in Porcion No. 80, in Starr County, Texas conveyed to Starr County Water Control & Improvement District No. 2, Volume 373, Page 548, then conveyed to the City of Rio Grande in Volume 1391, Page 359. Said parcel of land more particularly described by metes and bounds as follows;

Starting at COE Project control marker SR-02 2019, having the following NAD83 (2011) Grid Coordinates N=16657957.37, E=887199.16; Thence N60°19'17"W a distance of 3304.56 feet to a found 1" iron pipe designated as RGV-RGC-7001-3=7001-1-1=7006-1=7006-1-1, at the Northeast corner of the City of Rio Grande tract, Volume 1391, Page 359 and the Southeast corner of the Rio Grande City Independent School District tract, Volume 151, Page 275 and the Northwest corner of the Rio Grande City Consolidated Independent School District tract, Volume 546, Page 796 and the Southwest corner of the City of Rio Grande tract, Volume 1391, Page 359, for the **Point of Commencement**, and the **Point of Beginning**, having the following coordinates: N=16659593.58, E=884328.11.

Thence: S19°57'48"E along the South line of the Rio Grande City Consolidated Independent School District tract, Volume 546, Page 796 and the North line of the City of Rio Grande tract, Volume 1391, Page 359, crossing the center of an existing 21 foot wide gravel road at 103 feet, a distance of 145.15 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-7001-1-5A=7006-1-1A for a Point on Line, said point being on the North line of the United States of America tract, RGV-RGC-2039, Doc.# 2019-347651 and on the North line of the City of Rio Grande tract, Volume 1391, Page 359 and on the South line of the Rio Grande City Consolidated Independent School District tract, Volume 546, Page 796;

Thence: S19°57'48"E along said property line, a distance of 1.65 feet to a point designated as RGV-RGC-7001-1-5=7006-1-2 for angle;

Thence: S51°27'13"E along said property line, a distance of 1.78 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-7001-1-4B=7006-1-2A for a Point on Line;

SCHEDULE C (Cont.)

Thence: S51°27'13"E along the South line of the Rio Grande City Consolidated Independent School District tract, Volume 546, Page 796 and the North line of the City of Rio Grande tract, Volume 1391, Page 359, a distance of 66.08 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-7001-1-4A=7006-1-2B for a Point on Line, said point being on the North line of the United States of America tract, RGV-RGC-2039, Doc.# 2019-347651;

Thence: S51°27'13"E along the South line of the Rio Grande City Consolidated Independent School District tract, Volume 546, Page 796 and the North line of the City of Rio Grande tract, Volume 1391, Page 359, to an existing chain link fence, a distance of 495.33 feet to a point designated as RGV-RGC-7001-1-4=7006-1-3 for angle, said point being the Southeast corner of the Rio Grande City Consolidated Independent School District tract, Volume 546, Page 796 and on the East line of the United States of America tract, RGV-RGC-2039, Doc.# 2019-347651;

Thence: S41°13'37"W along the East line of the City of Rio Grande tract, Volume 1391, Page 359 and the East line of the United States of America tract, RGV-RGC-2039, Doc.# 2019-347651, departing said fence, a distance of 16.19 feet to a found I beam designated as RGV-RGC-7006-1-3A, for a Point on Line;

Thence: S41°13'37"W along said property line, a distance of 18.49 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-7006-1-3B, for a Point on Line, said point being the Southeast corner of the United States of America tract, RGV-RGC-2039, Doc.# 2019-347651 and on the West line of the Rio Grande City Independent School District tract, Volume 151, Page 275 and on the East line of the City of Rio Grande tract, Volume 1391, Page 359;

Thence: S41°13'37"W along the East line of the City of Rio Grande tract, Volume 1391, Page 359 and the West line of the Rio Grande City Independent School District tract, Volume 151, Page 275, to the North bank of the Rio Grande River, a distance of 43.45 feet to a point designated as RGV-RGC-7006-1-4, for angle, said point being the Southwest corner of the Rio Grande City Independent School District tract, Volume 151, Page 275 and the Southeast corner of the City of Rio Grande tract, Volume 1391, Page 359;

Thence: N52°11'35"W along the South line of the City of Rio Grande tract, Volume 1391, Page 359, along said North bank, a distance of 283.74 feet to a point designated as RGV-RGC-7006-1-5, for angle;

Thence: N73°33'45"W along said property line, along said North bank, a distance of 80.56 feet to a point designated as RGV-RGC-7006-1-6, for angle;

SCHEDULE C (Cont.)

Thence: N57°49'17"W along said property line, along said North bank, a distance of 144.19 feet to a point designated as RGV-RGC-7006-1-7, for angle;

Thence: N74°05'03"W along said property line, along said North bank, a distance of 128.98 feet to a point designated as RGV-RGC-7006-1-8, for angle;

Thence: N45°01'25"W along said property line, along said North bank, a distance of 106.08 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-7001-4=7006-1-9, for angle, said point being the Southwest corner of the City of Rio Grande tract, Volume 1391, Page 359 and the East line of the Rio Grande City Independent School District tract, Volume 151, Page 275;

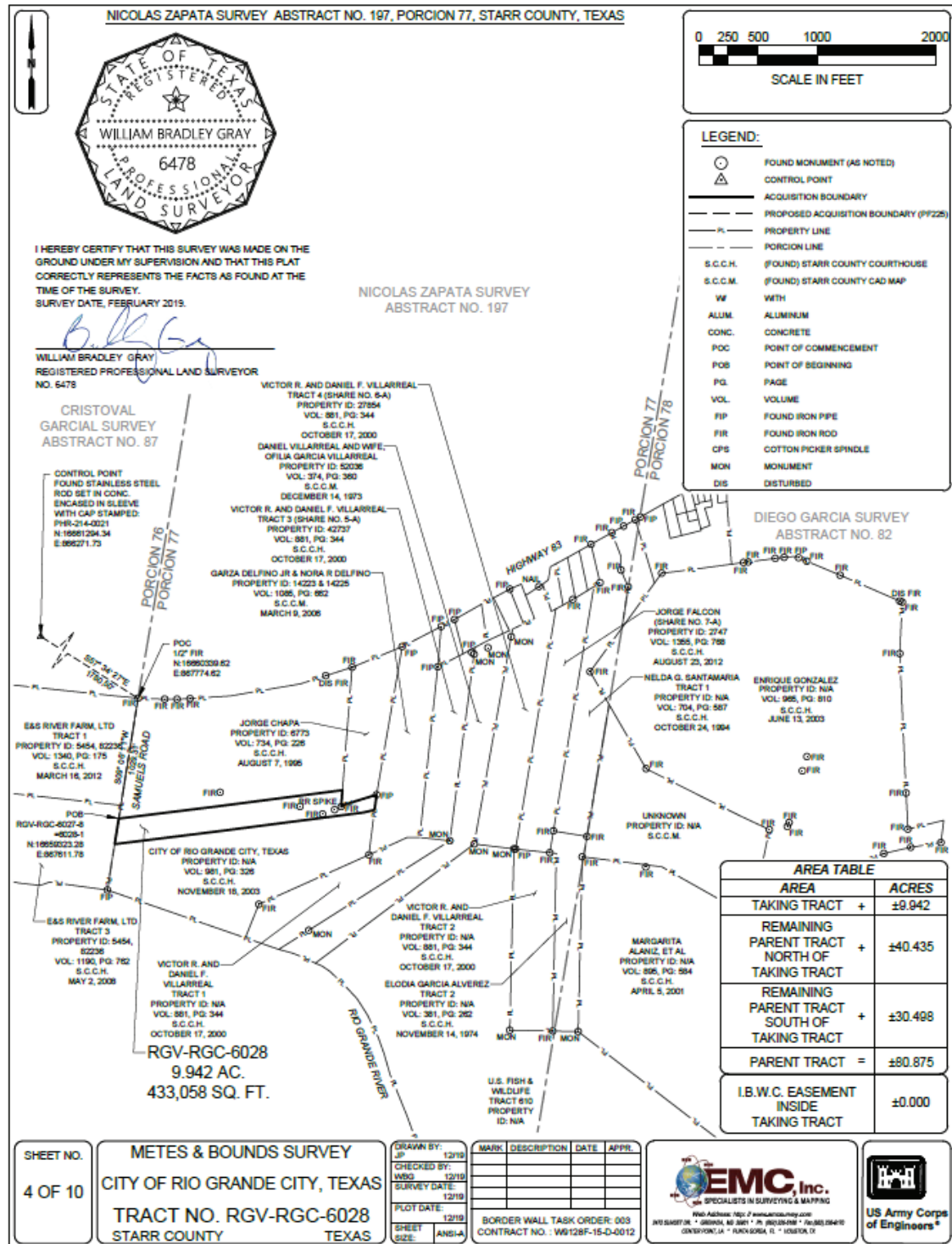
Thence: N48°13'58"E departing said North bank, along the East line of the Rio Grande City Independent School District tract, Volume 151, Page 275 and the West line of the City of Rio Grande tract, Volume 1391, Page 359, a distance of 144.64 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-7001-3B=7006-1-9A for a Point on Line, said point being the Southwest corner of the United States of America tract, RGV-RGC-2039, Doc.# 2019-347651 and the Southeast corner of the United States of America tract, RGV-RGC-2010, Doc.# 2019-347651;

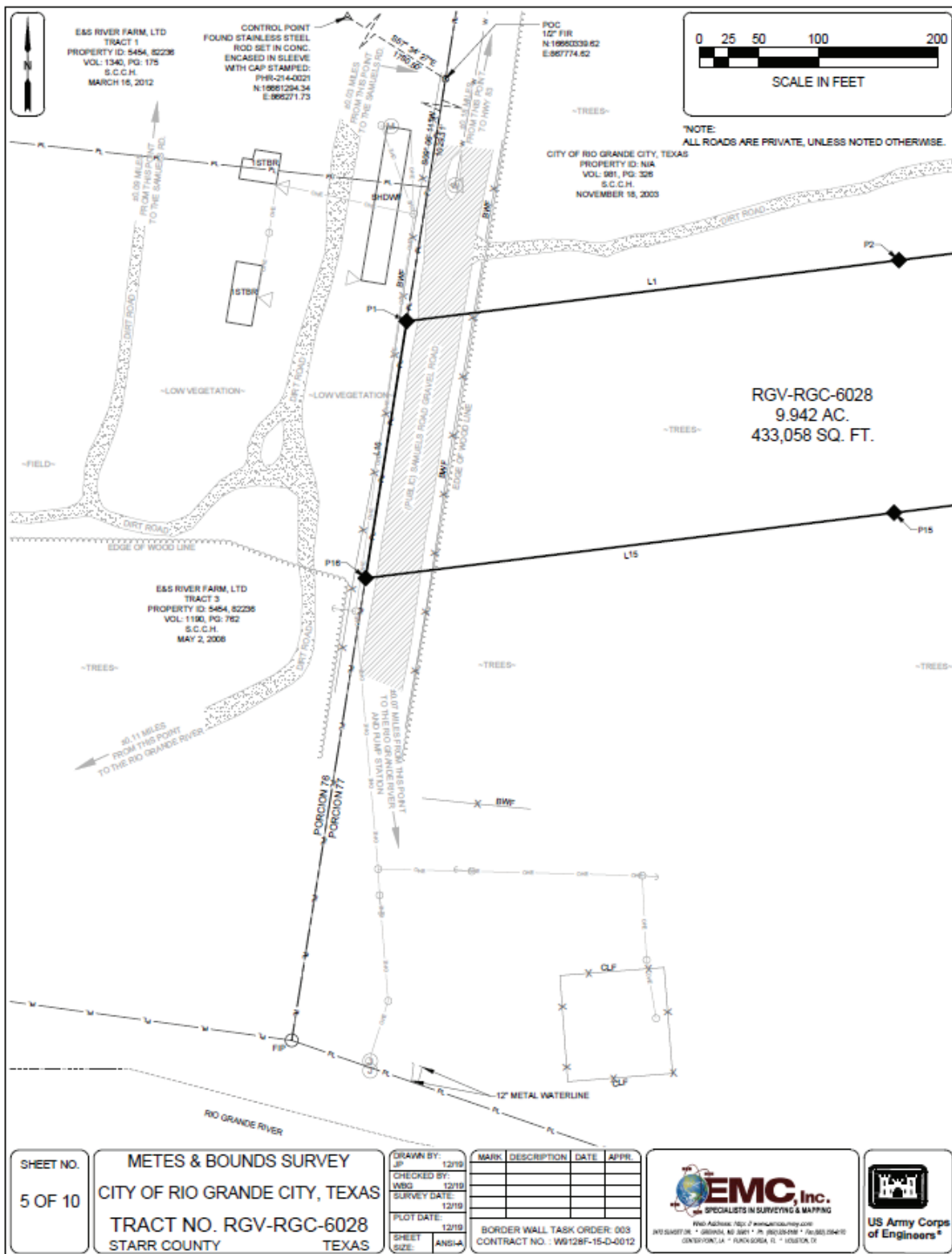
Thence: N48°13'58"E along the East line of the Rio Grande City Independent School District tract, Volume 151, Page 275 and the West line of the City of Rio Grande tract, Volume 1391, Page 359, and the West line of the United States of America tract, RGV-RGC-2039, Doc.# 2019-347651 and the East line of the United States of America tract, RGV-RGC-2010, Doc.# 2019-347651, a distance of 60.30 feet to a set 5/8" x 36" iron rebar and EMC Inc. 3" aluminum cap stamped RGV-RGC-7001-3A=7006-1-9B for a Point on Line, said point being the Northwest corner of the United States of America tract, RGV-RGC-2039, Doc.# 2019-347651 and the Northeast corner of the United States of America tract, RGV-RGC-2010, Doc.# 2019-347651 and on the East line of the Rio Grande City Independent School District tract, Volume 151, Page 275 and the West line of the City of Rio Grande tract, Volume 1391, Page 359;

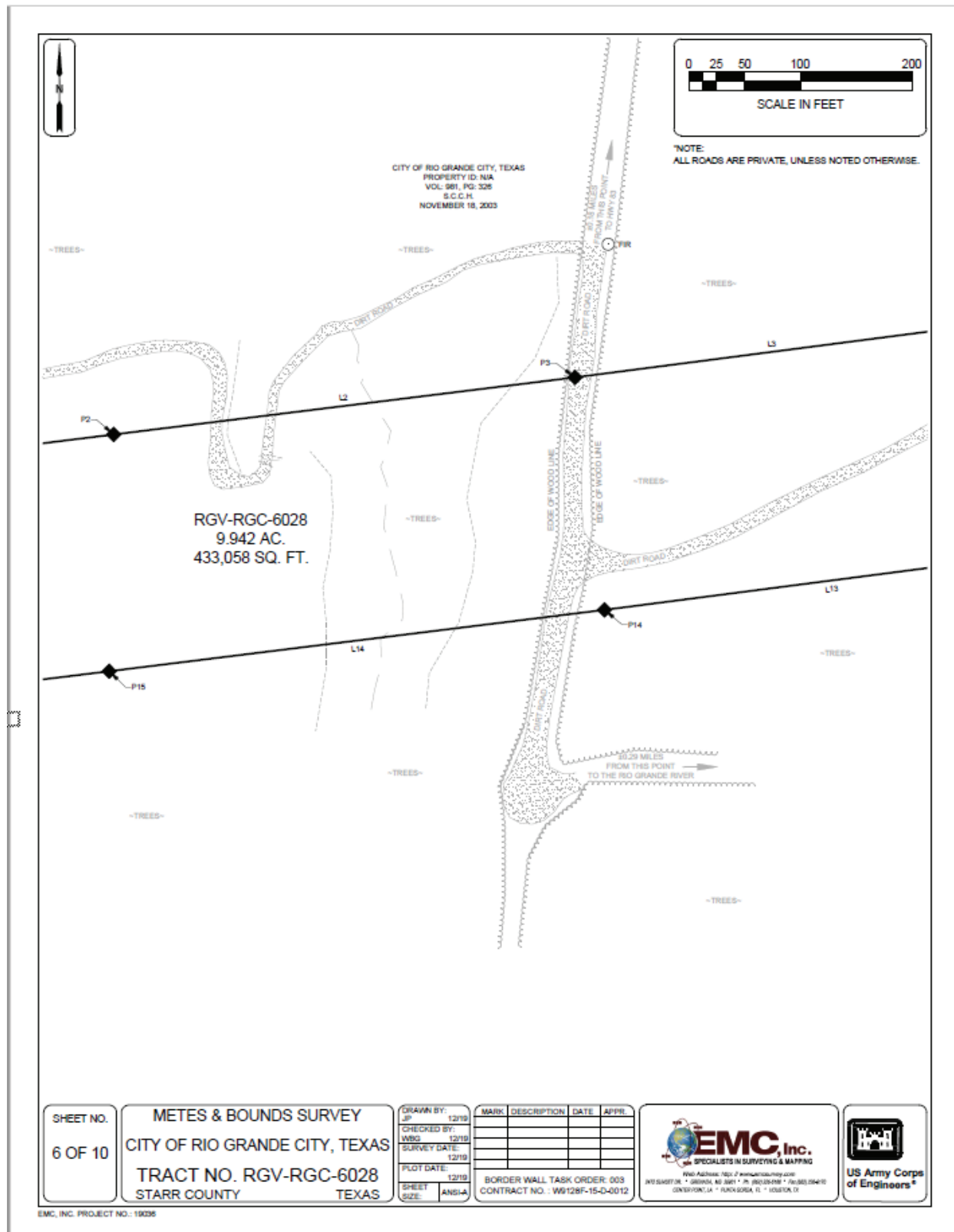
Thence: N48°13'58"E along the East line of the Rio Grande City Independent School District tract, Volume 151, Page 275 and the West line of the City of Rio Grande tract, Volume 1391, Page 359, crossing the center of an existing 22 foot wide gravel road at 16 feet, a distance of 41.01 feet returning to the **Place of Beginning**.

Containing 1.985 acres (86,481 sq. ft.), Save and Except a portion of the United States of America RGV-RGC-2039 tract, Doc.# 2019-347651, containing 0.827 acres (36,033 sq. ft.), for an aggregate acreage of 1.158 acres (50,448 sq. ft.).

SCHEDULE D



SCHEDULE D (Cont.)

SCHEDULE D (Cont.)

SCHEDULE D (Cont.)**LEGEND:**

	FOUND MONUMENT (AS NOTED)		COMMUNICATION/TELEPHONE JUNCTION BOX/PEDESTAL		GAS LINE
	SET MONUMENT		OVERHEAD COMMUNICATIONS/TELEPHONE LINE		EDGE OF RIPRAP
	CONTROL POINT		UNDERGROUND COMMUNICATIONS/TELEPHONE LINE		EDGE OF VEGETATION (TYPE NOTED)
	ACQUISITION BOUNDARY		UNDERGROUND FIBER OPTIC LINE		MISCELLANEOUS SYMBOL (SEE LABEL)
	PROPOSED ACQUISITION BOUNDARY (PF225)		CATCH BASIN		S.C.C.H. (FOUND) STARR COUNTY COURTHOUSE
	EASEMENT LINE		STORM GRATE		S.C.C.M. (FOUND) STARR COUNTY CAD MAP
	PROPERTY LINE		STORM SEWER VALVE		WTH
	PORCION LINE		STORM MANHOLE		UNKNOWN
	EXISTING WALL		STORM SEWER		ALUMINUM
	LEVEE TOP BANK		CULVERT		CONCRETE
	LEVEE TOE		HEADWALL AND WINGWALL		CULVERT
	EDGE OF ROAD (TYPE NOTED)		TOP OF DITCH		POINT OF COMMENCEMENT
	GUARD RAIL		BOTTOM OF DITCH		POINT OF BEGINNING
	SAVE AND EXCEPT AREA		EDGE OF WATER		PAGE
	EDGE OF SIDEWALK		WATER PUMP		VOLUME
	BUILDING OUTLINE (SEE LABEL)		MONITORING WELL		MONUMENT
	FENCE (TYPE NOTED)		WATER VALVE		FOUND IRON PIPE
	EDGE OF STRUCTURE (SEE LABEL)		WATER METER		FOUND IRON ROD
	BRIDGE OUTLINE		HYDRANT		COTTON PICKER SPINDLE
	OVERHEAD ELECTRICAL LINE		WATER EXTINGUISHER/FAUCET/SPRICKET		DISTURBED
	UNDERGROUND ELECTRICAL LINE		WATER MANHOLE		1 STORY FRAME HOUSE
	LIGHT POLE		WATER LINE		2 STORY FRAME HOUSE
	UTILITY POLE		LIFT STATION		1 STORY BRICK HOUSE
	GUY END		PUMP STATION		2 STORY BRICK HOUSE
	GUY POLE		SEWER CLEAN OUT		1 STORY COMMERCIAL BUILDING
	JUNCTION BOX		SEWER MANHOLE		2 STORY COMMERCIAL BUILDING
	ELECTRICAL MANHOLE		SEWER WATER PUMP		1 STORY STORE BUILDING
	ELECTRICAL METER		SANITARY SEWER VAULT		2 STORY STORE BUILDING
	ELECTRICAL PULL BOX		SANITARY SEWER LINE		SHED WOOD FRAME
	TRANSMISSION TOWER		GAS TANK		SHED BRICK
	SUBSTATION		GAS VALVE		CHAIN LINK FENCE
	ELECTRICAL TRANSFORMER		GAS METER		WOODEN FENCE
	COMMUNICATIONS/TELEPHONE MANHOLE		GAS LINE MARKER		STONE OR BRICK FENCE
			GAS VAULT		BARBED WIRE FENCE

GENERAL SURVEYOR'S NOTES:

1. THE BEARINGS, DISTANCES AND COORDINATE VALUES SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, REFERENCED TO NAD 83(2011), TX SOUTH ZONE(4205), US SURVEY FEET, USING THE CORS(2011) ADJUSTMENT. THE DISTANCES AND COORDINATES SHOWN HEREON ARE GRID VALUES AND MAY BE CONVERTED TO GROUND (SURFACE) USING A SCALE FACTOR OF 0.9999497231 (E.G. GRID X 0.9999497231 = SURFACE).
2. A SEPARATE METES AND BOUNDS DESCRIPTION OF EQUAL DATE WAS WRITTEN IN CONJUNCTION WITH THIS SURVEY PLAT.
3. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. THE SUBJECT PARCEL MAY BE SUBJECT TO RECORDED, UNRECORDED OR MIS-INDEXED INSTRUMENTS OR FACTS WHICH WOULD BE REVEALED BY A THOROUGH TITLE EXAMINATION.
4. THE REMAINING ACREAGE OF THE PARENT TRACT WAS CALCULATED FROM THE RECORDED INSTRUMENTS AND/OR GIS INFORMATION PROVIDED BY THE COUNTY AND IS NOT BASED ON FIELD DIMENSIONS.
5. EMC, INC. HAS PROVIDED THESE SURVEY SERVICES TO THE CORPS OF ENGINEERS AS THE PRIME CONSULTANT. THE CORPS'S CONTRACTING OFFICER'S REPRESENTATIVE IS STEPHEN CORLEY, RPLS (617) 886-11453.
6. PORCION LINES ARE DERIVED FROM PUBLIC GIS INFORMATION.
7. TEXAS 911 UTILITY LOCATE REQUEST WAS SUBMITTED FOR THIS SURVEY ON DECEMBER 18, 2019 (TICKET NO. 1985258452).

SHEET NO.
9 OF 10

METES & BOUNDS SURVEY
CITY OF RIO GRANDE CITY, TEXAS
TRACT NO. RGV-RGC-6028
STARR COUNTY TEXAS

DRAWN BY:
JP 12/19
CHECKED BY:
WBG 12/19
SURVEY DATE:
12/19
PLOT DATE:
12/19
SHEET
SIZE:
ANSI-A

MARK	DESCRIPTION	DATE	APPR.

BORDER WALL TASK ORDER: 003
CONTRACT NO.: W9128F-15-D-0012

EMC, Inc.
SPECIALISTS IN SURVEYING & MAPPING
Web Address: <http://www.emc-surveying.com>
1975 SHAW ST. • GREENSBORO, NC 27405 • PH: (800) 234-4288 • FAX: (336) 254-0470
CENTROPOINT, LA • 70004 • GPOSA, FL • 32040 • TX

US Army Corps of Engineers®

SCHEDULE D (Cont.)

PARCEL TABLE					
MONUMENT/LINE/CURVE#	MONUMENT NAME	NORTHING	EASTING	DISTANCE	DIRECTION
P1	RGV-RGC-6027-8=6028-1	16659323.28	867611.78		
L1				416.55'	N82°56'21"E
P2	RGV-RGC-6028-1A	16659374.48	868025.17		
L2				416.55'	N82°56'21"E
P3	RGV-RGC-6028-2	16659425.69	868438.56		
L3				357.48'	N82°37'13"E
P4	RGV-RGC-6028-2A	16659471.60	868793.08		
L4				357.48'	N82°37'13"E
P5	RGV-RGC-6028-2B	16659517.52	869147.60		
L5				357.49'	N82°37'13"E
P6	RGV-RGC-6028-3=6067-5	16659563.44	869502.12		
L6				140.08'	S04°30'29"W
P7	RGV-RGC-6028-4=6067-4	16659423.79	869491.11		
L7				40.18'	N61°10'10"E
P8	RGV-RGC-6028-5=6067-3	16659443.16	869526.31		
L8				276.50'	N72°53'18"E
P9	RGV-RGC-6028-6=6031-5=6067-2	16659524.52	869790.57		
L9				129.46'	S07°16'21"W
P10	RGV-RGC-6028-7=6031-4	16659396.10	869774.18		
L10				95.05'	S77°07'20"W
P11	RGV-RGC-6028-8	16659374.92	869681.52		
L11				408.91'	S82°37'13"W
P12	RGV-RGC-6028-8A	16659322.39	869275.99		
L12				408.91'	S82°37'13"W
P13	RGV-RGC-6028-8B	16659269.87	868870.47		
L13				408.91'	S82°37'13"W
P14	RGV-RGC-6028-9	16659217.35	868464.95		
L14				447.24'	S82°56'21"W
P15	RGV-RGC-6028-9A	16659162.37	868021.10		
L15				447.24'	S82°56'21"W
P16	RGV-RGC-6027-9=6028-10	16659107.40	867577.25		
L16				218.62'	N09°05'10"E

SHEET NO.
10 OF 10

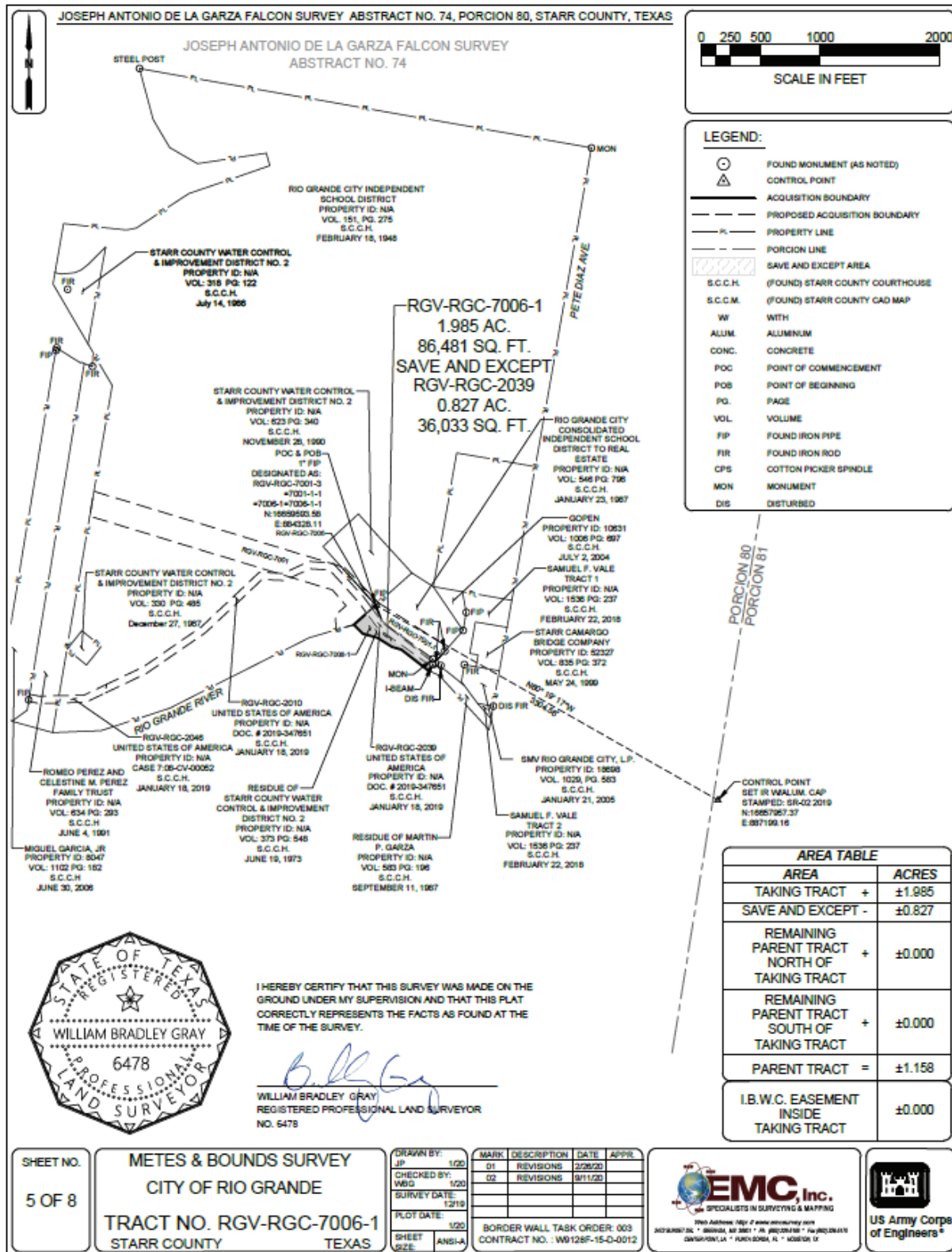
METES & BOUNDS SURVEY
CITY OF RIO GRANDE CITY, TEXAS
TRACT NO. RGV-RGC-6028
STARR COUNTY TEXAS

DRAWN BY: JP
CHECKED BY: WBS
SURVEY DATE: 12/19
PLOT DATE: 12/19
SHEET SIZE: ANSI-A

MARK DESCRIPTION DATE APPR.
BORDER WALL TASK ORDER: 003
CONTRACT NO.: W6128F-15-D-0012

EMC, Inc.
SPECIALISTS IN SURVEYING & MAPPING
P.O. Address: 1512 E. 17th Street, Suite 100
Arlington, TX 76010 • Phone: (817) 441-1111 • Fax: (817) 441-1112
www.emcsurvey.com

**US Army Corps
of Engineers**

SCHEDULE D (Cont.)

SCHEDULE D (Cont.)**LEGEND:**

	FOUND MONUMENT (AS NOTED)		COMMUNICATION/TELEPHONE JUNCTION BOX/PEDESTAL		GAS LINE
	SET MONUMENT		OVERHEAD COMMUNICATIONS/TELEPHONE LINE		EDGE OF RIPRAP
	CONTROL POINT		UNDERGROUND COMMUNICATIONS/TELEPHONE LINE		EDGE OF VEGETATION (TYPE NOTED)
	ACQUISITION BOUNDARY		UNDERGROUND FIBER OPTIC LINE		MISCELLANEOUS SYMBOL (SEE LABEL)
	PROPOSED ACQUISITION BOUNDARY		CATCH BASIN	S.C.C.H.	(FOUND) STARR COUNTY COURTHOUSE
	EASEMENT LINE		STORM GRATE	S.C.C.M.	(FOUND) STARR COUNTY CAD MAP
	PROPERTY LINE		STORM SEWER VALVE	W	WITH
	PORCION LINE		STORM MANHOLE	UNK	UNKNOWN
	EXISTING WALL		STORM SEWER	ALUM	ALUMINUM
	LEVEE TOP BANK		CULVERT	CONC	CONCRETE
	LEVEE TOE		HEADWALL AND WINGWALL	CULV	CULVERT
	EDGE OF ROAD (TYPE NOTED)		TOP OF DITCH	POC	POINT OF COMMENCEMENT
	GUARD RAIL		BOTTOM OF DITCH	POB	POINT OF BEGINNING
	SAVE AND EXCEPT AREA		EDGE OF WATER	PG	PAGE
	EDGE OF SIDEWALK		WATER PUMP	VOL	VOLUME
	BUILDING OUTLINE (SEE LABEL)		MONITORING WELL	MON	MONUMENT
	FENCE (TYPE NOTED)		WATER VALVE	FP	FOUND IRON PIPE
	EDGE OF STRUCTURE (SEE LABEL)		WATER METER	FR	FOUND IRON ROD
	BRIDGE OUTLINE		HYDRANT	CPS	COTTON PICKER SPINDLE
	OVERHEAD ELECTRICAL LINE		WATER EXTINGUISHER/FAUCET/SPICKET	DIS	DISTURBED
	UNDERGROUND ELECTRICAL LINE		WATER MANHOLE	1STFR	1 STORY FRAME HOUSE
	LIGHT POLE		WATER LINE	2STFR	2 STORY FRAME HOUSE
	UTILITY POLE		LIFT STATION	1STBR	1 STORY BRICK HOUSE
	GUY END		PUMP STATION	2STBR	2 STORY BRICK HOUSE
	GUY POLE		SEWER CLEAN OUT	1STCB	1 STORY COMMERCIAL BUILDING
	JUNCTION BOX		SEWER MANHOLE	2STCB	2 STORY COMMERCIAL BUILDING
	ELECTRICAL MANHOLE		SEWER WATER PUMP	1STSB	1 STORY STORE BUILDING
	ELECTRICAL METER		SANITARY SEWER VAULT	2STSB	2 STORY STORE BUILDING
	ELECTRICAL PULL BOX		SANITARY SEWER LINE	SHDW	SHED WOOD FRAME
	TRANSMISSION TOWER		GAS TANK	SHDBR	SHED BRICK
	SUBSTATION		GAS VALVE	CLF	CHAIN LINK FENCE
	ELECTRICAL TRANSFORMER		GAS METER	WF	WOODEN FENCE
	COMMUNICATIONS/TELEPHONE MANHOLE		GAS LINE MARKER	SBF	STONE OR BRICK FENCE
			GAS VAULT	BWF	BARBED WIRE FENCE

GENERAL SURVEYOR'S NOTES:

- THE BEARINGS, DISTANCES AND COORDINATE VALUES SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, REFERENCED TO NAD 83(2011), TX SOUTH ZONE(4205), US SURVEY FEET, USING THE CORS(2011) ADJUSTMENT. THE DISTANCES AND COORDINATES SHOWN HEREON ARE GRID VALUES AND MAY BE CONVERTED TO GROUND (SURFACE) USING A SCALE FACTOR OF 0.999951877 (E.G. GRID X 0.999951877 = SURFACE).
- A SEPARATE METES AND BOUNDS DESCRIPTION OF EQUAL DATE WAS WRITTEN IN CONJUNCTION WITH THIS SURVEY PLAT.
- THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. THE SUBJECT PARCEL MAY BE SUBJECT TO RECORDED, UNRECORDED OR MIS-INDEXED INSTRUMENTS OR FACTS WHICH WOULD BE REVEALED BY A THOROUGH TITLE EXAMINATION.
- THE REMAINING ACREAGE OF THE PARENT TRACT WAS CALCULATED FROM THE RECORDED INSTRUMENTS AND/OR GIS INFORMATION PROVIDED BY THE COUNTY AND IS NOT BASED ON FIELD DIMENSIONS.
- EMC, INC. HAS PROVIDED THESE SURVEY SERVICES TO THE CORPS OF ENGINEERS AS THE PRIME CONSULTANT. THE CORPS CONTRACTING OFFICER'S REPRESENTATIVE IS STEPHEN CORLEY, RPLS (817) 896-11453.
- PORCION LINES ARE DERIVED FROM PUBLIC GIS INFORMATION.
- TEXAS 811 UTILITY LOCATE REQUEST WAS SUBMITTED FOR THIS SURVEY ON DECEMBER 18, 2019 (TICKET NO. 1965258452).

SHEET NO.
7 OF 8

METES & BOUNDS SURVEY
CITY OF RIO GRANDE
TRACT NO. RGV-RGC-7006-1
STARR COUNTY TEXAS

DRAWN BY: 1/20
CHECKED BY: VMBG 1/20
SURVEY DATE: 12/19
PLOT DATE: 1/20
SHEET SIZE: ANSI-A



MARK	DESCRIPTION	DATE	APPR.
01	REVISIONS	2/26/20	
02	REVISIONS	9/11/20	

BORDER WALL TASK ORDER: 003
CONTRACT NO.: W9128F-15-D-0012



SCHEDULE D (Cont.)

PARCEL TABLE					
MONUMENT/LINE/CURVE#	MONUMENT NAME	NORTHING	EASTING	DISTANCE	DIRECTION
P1	RGV-RGC-7001-3=7001-1-1=7006-1=7006-1-1	16659593.58	884328.11		
L1				145.15'	S19°57'48"E
P2	RGV-RGC-7001-1-5A=7006-1-1A	16659457.15	884377.66		
L2				1.65'	S19°57'48"E
P3	RGV-RGC-7001-1-5=7006-1-2	16659455.60	884378.23		
L3				1.78'	S51°27'13"E
P4	RGV-RGC-7001-1-4B=7006-1-2A	16659454.49	884379.62		
L4				66.08'	S51°27'13"E
P5	RGV-RGC-7001-1-4A=7006-1-2B	16659413.31	884431.30		
L5				495.33'	S51°27'13"E
P6	RGV-RGC-7001-1-4=7006-1-3	16659104.65	884818.70		
L6				16.19'	S41°13'37"W
P7	RGV-RGC-7006-1-3A	16659092.47	884808.04		
L7				18.49'	S41°13'37"W
P8	RGV-RGC-7006-1-3B	16659078.57	884795.85		
L8				43.45'	S41°13'37"W
P9	RGV-RGC-7006-1-4	16659045.89	884767.22		
L9				283.74'	N52°11'35"W
P10	RGV-RGC-7006-1-5	16659219.82	884543.04		
L10				80.56'	N73°33'45"W
P11	RGV-RGC-7006-1-6	16659242.61	884465.77		
L11				144.19'	N57°49'17"W
P12	RGV-RGC-7006-1-7	16659319.40	884343.73		
L12				128.98'	N74°05'03"W
P13	RGV-RGC-7006-1-8	16659354.77	884219.70		
L13				106.08'	N45°01'25"W
P14	RGV-RGC-7001-4=7006-1-9	16659429.75	884144.66		
L14				144.64'	N48°13'58"E
P15	RGV-RGC-7001-3B=7006-1-9A	16659526.10	884252.54		
L15				60.30'	N48°13'58"E
P16	RGV-RGC-7001-3A=7006-1-9B	16659566.26	884297.52		
L16				41.01'	N48°13'58"E

SHEET NO. 8 OF 8	METES & BOUNDS SURVEY CITY OF RIO GRANDE TRACT NO. RGV-RGC-7006-1 STARR COUNTY TEXAS	DRAWN BY: JP 1/20	MARK	DESCRIPTION	DATE	APPRO.	 SPECIALISTS IN SURVEYING & MAPPING	 US Army Corps of Engineers
		CHECKED BY: WMB 1/20	01	REVISIONS	2/26/20			
		SURVEY DATE: 12/19	02	REVISIONS	9/11/20			
		PLOT DATE: 1/20						
		SHEET SIZE: ANSI-A	BORDER WALL TASK ORDER: 003 CONTRACT NO.: W912BF-15-D-0012					

EMC, INC. PROJECT NO.: 19036

Tracts: RGV-RGC-6028 and RGV-RGC-7006-1

Owner: City of Rio Grande City, Texas

Acreage: 11.1

SCHEDULE E

SCHEDULE E

ESTATE TAKEN

Starr County, Texas

Tracts: RGV-RGC-6028

Owner: City of Rio Grande City, Texas

Acres: 9.942

The estate taken is fee simple, subject to existing easements for public roads and highways, public utilities, railroads, and pipelines; and subject to all interests in minerals and appurtenant rights for exploration, development, production and removal of said minerals;

Reserving to the owners of property described in conveyance recorded in the Deed Records of Starr County, Texas, Volume 0981, page 326, reasonable access to and from the owners' lands lying between the Rio Grande River and the border barrier through opening(s) or gate(s) in the border barrier between the westernmost mark labeled "Beginning" and easternmost mark labeled "Ending" depicted on the map below;

Excepting and excluding all interests in water rights and water distribution and drainage systems, if any, provided that any surface rights arising from such water rights or systems are subordinated to the United States' construction, operation, and maintenance of the border barrier.

SCHEDULE E (Cont.)



SCHEDULE E (Cont.)

ESTATE TAKEN

Starr County, Texas

Tract: RGV-RGC-7006-1

Owner: City of Rio Grande City, Texas

Acres: 1.158

The estate taken is fee simple, subject to existing easements for public roads and highways, public utilities, railroads, and pipelines; and subject to all interests in minerals and appurtenant rights for exploration, development, production and removal of said minerals;

Excepting and excluding all interests in water rights and water distribution and drainage systems, if any, provided that any surface rights arising from such water rights or systems are subordinated to the United States' construction, operation, and maintenance of the border barrier.

SCHEDULE F

SCHEDULE F

ESTIMATE OF JUST COMPENSATION

The sum estimated as just compensation for the land being taken is FORTY TWO THOUSAND THREE HUNDRED TWENTY-FIVE DOLLARS AND NO/100 (\$42,325.00), to be deposited herewith in the Registry of the Court for the use and benefit of the persons entitled thereto.

SCHEDULE G

SCHEDULE G**INTERESTED PARTIES**

The following table identifies all persons who have or claim an interest in the property condemned and whose names are now known, indicating the nature of each person's property interest(s) as indicated by references in the public records and any other information available to the United States. See Fed. R. Civ. P. 71.1(c).

Interested Party	Reference
City of Rio Grande City, Texas c/o The Honorable Joel Villarreal, Mayor 5332 East Highway 83 Rio Grande City, Texas 78582	RGV-RGC-6028 Warranty Deed, Document # 2003-233818 Recorded on November 18, 2003, at Volume 981, Page 326, in Deed Records of Starr County RGV-RGC-7006-1 Starr County Water Control and Improvement District No. 2 v. Rio Grande City, 961 S.W.2d 607 (Tex.App.1997) Certain Order in Cause No. DC-97-198 dated August 27, 2013, Volume 1391, Page 359.
Ameida Salinas Starr County Tax Assessor & Collector 100 N FM 3167, Room 201 Rio Grande City, Texas 78582	Property Taxes

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

United States of America

(b) County of Residence of First Listed Plaintiff _____
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)
N. Joseph Unruh, United States Attorney's Office, Southern District of Texas, 1701 West Bus. Hwy. 83, Ste. 600, McAllen, TX 78501

DEFENDANTS

11.1 Acres of Land, More or Less, Situate in Starr County, State of Texas; and the City of Rio Grande City, Texas, et. al.

County of Residence of First Listed Defendant Starr
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act
REAL PROPERTY <input checked="" type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
40 U.S.C. 3113 and 3114

Brief description of cause:

Land condemnation proceeding for fee simple interest to construct, install, operate, and maintain border security

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION DEMAND \$ _____
UNDER RULE 23, F.R.Cv.P.

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☒ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE _____

DOCKET NUMBER _____

DATE

12/17/2020

SIGNATURE OF ATTORNEY OF RECORD

/s/ N. Joseph Unruh

FOR OFFICE USE ONLY

RECEIPT # _____

AMOUNT _____

APPLYING IFP _____

JUDGE _____

MAG. JUDGE _____